

Serial No. **10/596,917**

Docket No. **P-0913**

Amdt. dated December 2, 2009

Reply to Office Action of September 2, 2009

### **REMARKS/ARGUMENTS**

Claims 6-17 are pending. Claims 18-27 have been withdrawn from consideration by the Examiner. By this Amendment, the Abstract, the drawings, the specification, and claims 6-11, 13-15, and 17 are amended, and claims 1-5 and 18-27 are canceled without prejudice or disclaimer. No new matter is added. Applicants maintain their traversal of the Restriction Requirement set forth in the Reply to Election/Restriction Requirement filed June 8, 2009. However, merely to expedite prosecution of the application, Applicants have canceled non-elected claims 18-27 to be pursued in a Continuation/Divisional application. Support for the claims can be found throughout the specification, including the original claims and the drawings. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Office Action objected to claim 9 for informalities. The Examiner's comment has been addressed in amending claim 9. Accordingly, the objection should be withdrawn.

The Office Action objected to Fig. 1, indicating that Fig. 1 should be designated by a legend, such as "Prior Art". Fig. 1 has been amended to include the legend "Conventional Art", to be consistent with the specification. Accordingly, the objection should be withdrawn.

The Office Action objected to the drawings under 37 C.F.R. 1.84 (p)(5). The specification has been amended to address the Examiner's comments. Accordingly, the objection should be withdrawn.

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The Office Action rejected claims 1-17 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. Claims 1-5 have been canceled. Each of the Examiner's comments has been addressed in amending the claims. Accordingly, this rejection should be withdrawn.

The Office Action rejected claim 1 under 35 U.S.C. §102(a) as being anticipated by or in the alternative under 35 U.S.C. §103(a) as obvious over Takahiro et al. (hereinafter "Takahiro"), Japanese Patent Publication No. 2003-077506. As noted above, claim 1 has been canceled, and therefore, this rejection is moot and should be withdrawn.

The Office Action rejected claims 2-8 and 15-17 under 35 U.S.C. §103(a) as being unpatentable over Takahiro, and further in view of Petillo et al. (hereinafter "Petillo"), U.S. Patent No. 7,282,073. As noted above, claims 2-5 have been canceled. The rejection is respectfully traversed insofar as it applies to the claims 6-8 and 15-17.

Independent claim 6 recites, *inter alia*, a heating device installed between the fuel supplying line and the air supplying line that heats fuel and air supplied to the main fuel cell stack by using hydrogen generated at the anodes after reaction as a heat source. Takahiro and Petillo fail to disclose or suggest at least such features, or the claimed combination of independent claim 1.

Accordingly, the rejection of independent claim 6 over Takahiro and Petillo should be withdrawn. Dependent claims 7-8 and 15-17 are allowable over Takahiro and Petillo at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

The Office Action rejected claims 9-13 under 35 U.S.C. §103(a) as being unpatentable over Takahiro as modified by Petillo, and further in view of Parr et al. (hereinafter "Parr"), U.S. Patent No. 7,282,073. The rejection is respectfully traversed.

Dependent claims 9-13 are allowable over Takahiro and Petillo at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features. Parr fails to overcome the deficiencies of Takahiro and Petillo. Accordingly, the rejection of claims 9-13 over Takahiro, Petillo, and Parr should be withdrawn.

The Office Action rejected claim 14 under 35 U.S.C. §103(a) as being unpatentable over Takahiro as modified by Petillo, and further in view of Chen et al. (hereinafter "Chen"), U.S. Patent Publication No. 2002/0098397. The rejection is respectfully traversed.

Dependent claim 14 is allowable over Takahiro and Petillo at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features. Chen fails to overcome the deficiencies of Takahiro and Petillo. Accordingly, the rejection of claim 14 over Takahiro, Petillo, and Chen should be withdrawn.

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### **CONCLUSION**

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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